

1 a bank and financing from an individual, and the key  
2 question was with regard to the financing from the  
3 individual, as I recall, is that she had to have, I  
4 believe -- I think the phrase was "at hand" a balance  
5 sheet. And I was satisfied that that was, you know,  
6 that was complied with.

7 Q. When did you do this research?

8 A. It wasn't the research. You keep saying  
9 "research." I read the FCC instructions. That was  
10 the extent.

11 Q. Forgive me. When did you read the FCC  
12 instructions?

13 A. As I said, I believe it was just -- it was  
14 around the time I signed the declaration. It would  
15 have been -- as I'm thinking now --

16 Q. The declaration we are speaking of now?

17 A. The exhibit that is in front of me now,  
18 Exhibit 3. Come to think of it, it would have been  
19 before I signed this because I think this was the last  
20 thing that I did.

21 Q. How much before this?

22 A. It was probably within a week or two.

23 Q. But prior to that period, you did not do any  
24 research regarding the FCC definition of the term  
25 "reasonable assurance" or read any instructions or



Appendix C

REVISED BUDGET - EL RIO FM STATION

LOREN F. SELZNICK

A. Construction Costs

1. 65' pole (including labor and materials) (power at site now)	\$4,500
2. Transmitter building	5,200
3. Transmitter (1KW--Hall Electronics)	5,500
4. Exciter (30w Energy-Onyx--Hall)	2,595
5. Antenna (2-bay,Hall Electronics) plus 200 feet of transmission line, connectors adaptor etc.	3,105
6. Remote control (Sine Systems) & EBS unit	2,060
7. Modulation monitor(Innovonics)	2,200
8. STL-8 Marti (Hall Electronics) plus two Scala antennae	3,900
9. Stereo generation/processing (Hall Electronics) AFEX Compellor/Dominator) with Innovonics stereo generator	2,300 1,100
10. Satellite dish (local) and receiver	3,000
11. Production control equipment and satellite interface equipment (The Management's DJ-Lite and PC-Pro)	10,000
12. Miscellaneous studio equipment and general office supplies (such as CD player, headphones, mikes, studio supplies)	5,000
13. Studio furniture and fixtures (assumes renovations by lessor)	10,000
14. Power generator	4,000
15. Miscellaneous labor and installation	5,000
16. Miscellaneous taxes, shipping, etc.	10,000
<b>TOTAL CONSTRUCTION COSTS.....</b>	<b>\$ 79,460</b>

B. First Three Months' Operating Costs..... \$ 30,000  
(assumes no salary for Selznick, use of contract engineer  
(\$125/month), \$575 monthly music service and fees,  
\$1,200/month salary for newsman/production person,  
\$1,000/month salary for receptionist/traffic/bookkeeper,  
\$1,500/month salary (plus commissions) for salesperson,  
\$125/week salary for 2 parttime employees, \$1750/month  
for phone/utilities, \$1,000 monthly tower site rental,  
and \$1850 for taxes, legal, fees & other miscellaneous)

**TOTAL ESTIMATED COSTS.....\$ 109,460**



Appendix D

**Loren F. Selznick**

**Liquidity Analysis  
December 30, 1993**

**Assets**

Cash on Hand (approximate)	\$40,000
Retirement Accounts (Minus 20% Penalty and Minus 32.5% for Taxes) (approximate)	25,000
Inheritance Receivable (approximate)	8,000
99 Bank Street Apartment 3L Cooperative Stock (Current Appraised Value)	86,000
67 East 11th Street Apartment 401 Cooperative Stock (Current Appraised Value)	<u>118,000</u>
Total . . . . .	\$277,000

**Liabilities**

Mortgage Debt (99 Bank Street) (approximate)	64,000
Mortgage Debt (67 East 11th Street) (approximate)	110,000
Bank Loans/Notes Payable	0
Credit Cards Payable (approximate)	1,100
Payable - Other (Breed, Abbot & Morgan Personal Expenses) (approximate)	<u>1,200</u>
Total . . . . .	\$176,300

Net Liquid Assets . . . . .	<b>\$100,700</b>
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APPENDIX E

AUGUST 1993 APPRAISAL FOR 11TH STREET APARTMENT

0.1 selected mass heat available at time of inspection less

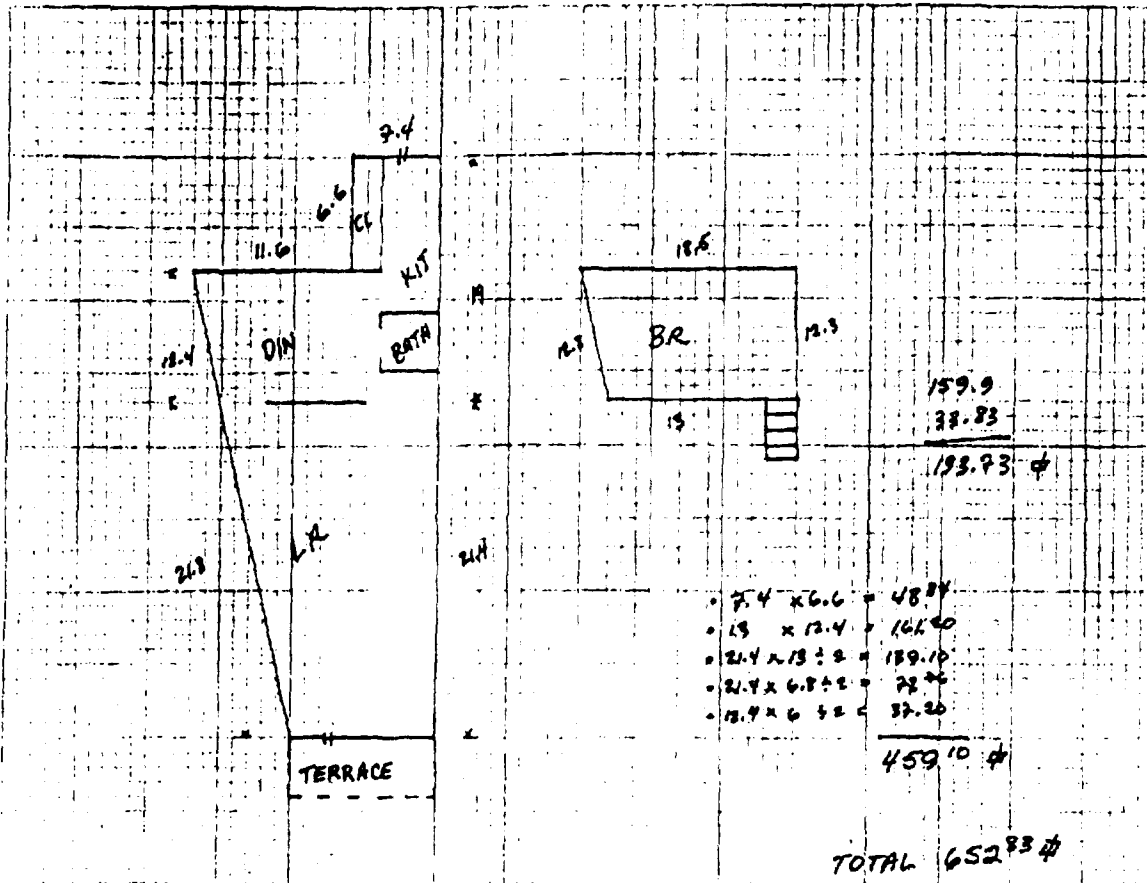
not based on requested minimum value or mortgage amount.

INDICATED VALUE BY MARKET DATA APPROACH		118,000	
INDICATED VALUE BY INCOME APPROACH		(If applicable) Econ. Market Rent \$ <u>NA</u> /Mo. x Gross Rent Multiplier <u>NA</u> = \$	
This appraisal is made <input checked="" type="checkbox"/> "as is" <input type="checkbox"/> subject to repairs, alterations, or conditions listed below		<input type="checkbox"/> Subject to completion per plans and specifications	
Comments on Conditions of Appraisal <u>Most weight given to sale #1 due to its overall similarity to the subject in size, location and site.</u>			
Final Reconciliation <u>Sales Comparison Approach provides the best indication of value.</u>			
Construction Warranty <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Name of Warranty Program _____ Warranty Coverage Expires _____	
This appraisal is based upon the above requirements, the certification, contingent and limiting conditions and Market Value definition that are stated in <input type="checkbox"/> FHLMC Form 439 (Rev. 7/86) FNMA Form 1004B (Rev. 7/86) filed with client _____, 19 <u>93</u> <input type="checkbox"/> attached			
ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF <u>14 August</u> , 19 <u>93</u> to be \$ <u>118,000</u>			
Appraiser <u>N. Lee</u>		Review Appraiser (If applicable) <u>Henry A. Salmon</u>	
Date Report Signed <u>14 August</u> , 19 <u>93</u>		<input type="checkbox"/> Did <input checked="" type="checkbox"/> Did Not Physically Inspect Property	
FHLMC Form 466 9/80(10 ch.) H. Chuku LEE NYS# 47-14819		Henry A. Salmon NYS# 46-2234 FNMA Form 1073 9/80	

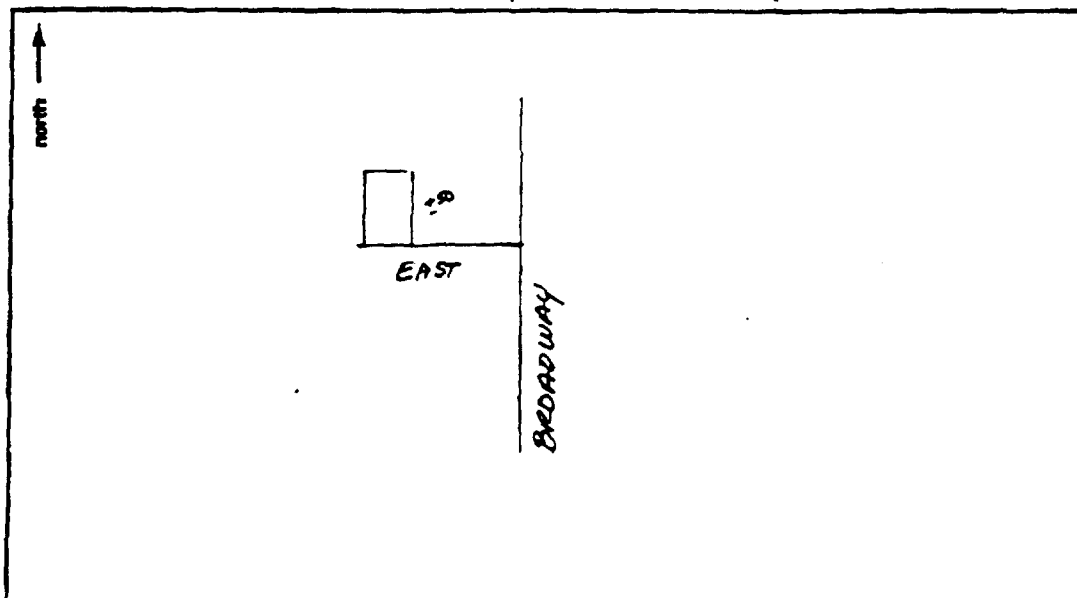
# MAP SKETCH ADDENDUM

Borrower/Client			
Property Address			
City	County	State	Zip Code
Lender			

## BUILDING SKETCH



## LOCATION MAP [\*SUBJECT PROPERTY]



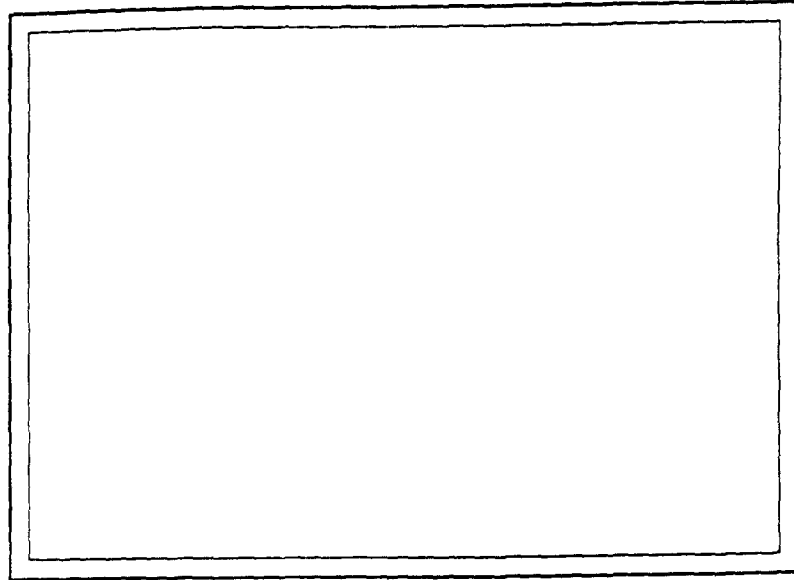
OVER FOR PHOTO ATTACHMENTS

F

APPENDIX F

AUGUST 1993 APPRAISAL FOR BANK STREET APARTMENT

**EQUITY VALUATION ASSOCIATES**



**LOCATED AT:**

99 Bank Street  
New York, NY 100

**FOR:**

NA  
NA

**AS OF:**

14 August, 1993

**BY:**

H.Chuku Lee NYS# 47-14819

Borrower Selznick Census Tract 71 Map Reference 1-C-20  
 Unit No. #3L Address 99 Bank Street Project Name/Phase No. \_\_\_\_\_  
 City New York County New York State NY Zip Code 100  
 Act. Real Estate Taxes Incl'd in Maint. (yr.) Sales Price NA Property Rights Appraised ☐ Fee ☐ Leasehold  
 Loan Charges to be Paid by Seller NA Other Sales Concessions NA Block 624 Lot 1  
 Lender/Client NA Lenders Address NA  
 Occupant Tenant Appraiser H. Chuku Lee Instructions to Appraiser Estimate Market Value  
☐ FNMA 1073A required ☐ FHLMC 465 Addendum A required ☐ FHLMC 465 Addendum B required

Location ☒ Urban ☐ Suburban ☐ Rural  
 Built Up ☒ Over 75% ☐ 25% to 75% ☐ Under 25%  
 Growth Rate ☒ Fully Developed ☐ Rapid ☐ Steady ☐ Slow  
 Property Values ☐ Increasing ☒ Stable ☐ Declining  
 Demand/Supply ☐ Shortage ☒ In Balance ☒ Oversupply  
 Marketing Time ☐ Under 3 Mos. ☐ 4-8 Mos. ☒ Over 8 Mos.  
 Present Land Use 6 % 1 Family 34 % 2-4 Family 33 % Apts. 15 % Commercial 10 % Industrial 2 % Vacant  
 Change in Present Land Use ☒ Not Likely ☐ Likely ☐ Taking Place  
 \*From \_\_\_\_\_ To \_\_\_\_\_  
 Predominant Occupancy ☒ Owner ☐ Tenant ☐ % Vacant  
 Condominium Price Range \$ 150 to \$ 500 Predominant \$ 275  
 Age 40 yrs. to 125 yrs. Predominant 75 yrs.  
 Single Family Price Range \$ NA to \$ NA Predominant \$ NA  
 Age NA yrs. to NA yrs. Predominant NA yrs.  
 Describe potential for addit. Condo/PUD units in nearby area Due to oversupply in market, potential for additional units is limited.  
 NOTE: FHLMC/FNMA do not consider race or the racial composition of the neighborhood to be reliable appraisal factors.  
 Describe those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, noise, view, mkt. area, population size and financial ability)  
Located in Manhattan Community District #2 - West Village- where Average family income is \$64,351. Population grew 3.34% btwn 1980/90 Median age 37.7 years  
 Lot Dimensions (if PUD) NA = \_\_\_\_\_ Sq. Ft. ☒ Corner Lot Project Density When Compl. as Planned 120 Units/Acre  
 Zoning Classification Residential Present improvements ☒ do ☐ do not conform to zoning regulations  
 Highest and Best Use: ☒ Present use ☐ Other (specify) \_\_\_\_\_  
 Public \_\_\_\_\_ Other (Describe) \_\_\_\_\_  
 Elec. ☒ \_\_\_\_\_  
 Gas ☒ \_\_\_\_\_  
 Water ☒ \_\_\_\_\_  
 San. Sewer ☒ \_\_\_\_\_  
☒ Underground Elec. & Tel.  
 OFF-SITE IMPROVEMENTS  
 Street Access ☒ Public ☐ Private  
 Surface Macadam  
 Maintenance ☒ Public ☐ Private  
☒ Storm Sewer ☒ Curb/Gutter  
☒ Sidewalk ☒ Street Lights  
 Project Ingress/Egress (adequacy) Average  
 Topo Level  
 Size/Shape Average/rectangular  
 View Amenity Average  
 Drainage/Flood Conditions Adequate  
 Is prop. located in a HUD identifi. Spec. Flood Hazard area? ☒ No ☐ Yes  
 Comments (including any easements, encroach, or other adverse conditions) No apparent adverse easements or encroachments. Flood Map 360 497 Panel 47 Zone C 11/83

PROJECT TYPE ☒ Existing ☐ Proposed ☐ Under Constr.  
 PROJECT ☒ Condo ☐ PUD ☒ Converted (19 80)  
☒ Elevator ☐ Walk-up No. of Stories 7  
☒ Row or Town House ☐ Other (specify) \_\_\_\_\_  
☒ Primary Residence ☐ Second Home or Recreational  
 If Completed: No. Phases 1 No. Units 120 No. Sold 120  
 If Incomplete: Planned No. Phases NA No. Units NA No. Sold NA  
 Units in Subject Phase: Total 120 Completed 120 Sold 120 Rented NA  
 Approx. No. Units for Sale: Subject Project NA Subject Phase NA  
 Exterior: Wall Brick Roof Covering Asphalt Roll Security Features Intercom, standard locks  
 Elevator: No. 2 Adequacy & Cond. Average Soundproofing: Vertical Average Horizontal Average  
 Parking: Total No. Spcs. NA Ratio NA Spaces/Unit Type NA No. Spaces for Guest Parking NA  
 Describe common elements or recreational facilities NA  
 Are any common elements, rec. facil. or parking leased to Own. Assoc. NA If yes, attach addend. describing rental, terms and options.

☒ Existing ☐ Proposed ☐ Under Constr. Floor No. 3 Unit Livable Area 448 ☒ Basement NA % Finished NA ☒  
 Parking for Unit: No. NA Type \_\_\_\_\_ ☐ Assigned ☐ Owned Convenience to Unit \_\_\_\_\_

Room List	Foyer	Liv	Din	Kit	Bdrm	Bath	Fam	Rec	Laundry	Other
Basement										
1st Level										
2nd Level										
3rd		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						

Floors ☐ Hardwood ☒ Carpet over \_\_\_\_\_  
 Interior Walls ☒ Drywall ☐ Plaster ☐ Fair ☐ Poor  
 Trim/Finish ☐ Good ☒ Average ☐ Fair ☐ Poor  
 Bath Floor ☒ Ceramic ☐ Weinscot: ☒ Ceramic ☐  
 Windows (type) Dbl Hng ☐ Strm Sash ☐ Screens ☐ Combos  
 Kitchen Equipment ☒ Refrigerator ☒ Range/Oven ☐ Fan/Hood ☐ Washer ☐ Dryer  
☒ Intercom ☐ Disposal ☐ Dishwasher ☒ Microwave ☐ Compactor  
 HEAT: Type Steam Fuel Oil Cond. Ave  
 AIR COND: ☐ Central ☒ Other unit ☒ Adequate ☐ Inadequate  
☐ Earth Sheltered Housing Design ☐ Solar Design/Landscape ☐ Solar Space Heat/Air Cond. ☐ Solar Hot Water  
☐ Flue Damper ☐ Elec./Mech. Gas Furn. Ignition ☐ Auto Setback Thermostat ☒ Dble./Triple Glazed Windows ☐ Caulk/Weatherstrip  
 INSULATION (state R-Factor if known) ☒ Walls ☒ Ceiling ☐ Floor ☐ Roof/Attic ☐ Water Heater  
 If rehab proposed, do plans and specs provide for adeq. energy conserv.? NA If no, attach description of modification needed.  
 ENERGY EFFICIENCY APPEARS: ☐ High ☒ Adequate ☐ Low Energy Audit: ☐ Yes (attach, if available) ☐ No  
 COMMENTS (special features, functional or physical inadequacies, modern, or repairs needed etc.) Studio unit maintained average condition.

Unit Charge: 396.67 /Mo. x 12 = 4,760.04 /Yr. @ 10.62 /Sq.Ft./year of livable area; Ground Rent (if any): 0 /Yr.

Utilities included in unit charge: ☐ None ☐ Heat ☐ Air Cond. ☐ Electricity ☐ Gas ☒ Water ☒ Sewer

Note any fees, other than regular Condo/PUD charges, for use of facilities: NA

To properly maintain the project and provide the services anticipated, the budget appears: ☐ High ☒ Adequate ☐ Inadequate

Compared to other competitive projects of similar quality and design, subject unit charge appears: ☐ High ☒ Reasonable ☐ Low

Management Group: ☐ Owners Association ☐ Developer ☒ Management Agent (Identify): Andrews Bldg Corp 212 529 5688

Quality of Management and its enforcement of Rules and Regulations appears: ☐ Superior ☐ Good ☒ Adequate ☐ Inadequate

Special or unusual characteristics in the Condo/PUD Documents or otherwise known to the appraiser that would effect marketability (if none, so state): NA

Comments: NA

NOTE: FHLMC does not require the cost approach in the appraisal of condominium or PUD units

Cost Approach (to be used only for detached, semi-detached, and town-house units)

Reproduction Cost New: 448 Sq.Ft. @ 0 per Sq.Ft. = 0

Less Depreciation: Physical 0 Functional 0 Economic 0

Depreciated Value of Improvements: 0

Add Land Value (if leasehold, show only leasehold value-attach calculations): 0

Pro-rata Share of Value of Amenities: 0

Total Indicated Value: ☐ FEE SIMPLE ☐ LEASEHOLD 0

Comments regarding estimate of deprec. and value of land and amenity pkg.: Cost Approach not considered relevant for valuing single unit in co-op development.

The appraiser, whenever possible, should analyze two comparable sales from within the subject project. However, when appraising a unit in a new or newly converted project at least two comparables should be selected from outside the subject project. In the following analysis, the comparable should always be adjusted to the subject unit and not vice versa. If a significant feature of the comparable is superior to the subject unit, a minus (-) adjustment should be made to the comparable if such a feature of the comparable is inferior to the subject, a plus (+) adjustment should be made to the comparable.

LIST ONLY THOSE ITEMS THAT REQUIRE ADJUSTMENT

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address-Unit No.	99 Bank Stre	227 West 11th St #45	10 West 15th St #1108	89 Bedford St #3
Proj. Name				
Prox. to Sub	1/3 Mile	1/3 Mile	1 Mile	1/3 Mile
Sales Price	\$	\$ 107,000	\$ 110,000	\$ 118,000
Pr./Liv. Area	\$	\$ 220.16	\$ 180.32	\$ 201.36
Date Source	Inspection	Institute Redbook	Institute Redbook	Institute Redbook
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION +/- Adjust.	DESCRIPTION +/- Adjust.	DESCRIPTION +/- Adjust.
Location	8/93	5/93	5/93	12/92
Site/View	Good	Good	Ave 7.500	Good
Dsgn & App	3flr/Ave	4flr/Ave -1,000	11flr/Good -8,000	3flr/Ave
Qty of Cnst	Ave/Ave	Ave/Ave	Ave/Ave	Ave/Ave
Age	Good	Good	Good	Good
Condition	1900	1900	1965	1900
Living Area, Rm Count & Total Gross Living Area	Ave	Good -5,000	Good -5,000	Good -5,000
Basement & Bsmt	Total: 0-rms: 1 Baths: 1	Total: 1-rms: 1 Baths: 1	Total: 1-rms: 1 Baths: 1	Total: 1-rms: 1 Baths: 1
Fin. Rooms	2 0 1	3 1 1 -10,000	3 1 1 -10,000	3 1 1 -10,000
Funct. Util.	448 Sq.Ft.	486 Sq.Ft. -5,000	610 Sq.Ft. -10,000	586 Sq.Ft. -9,000
Air Condit.	NA	NA	NA	NA
Storage	NA	NA	NA	NA
Park. Facil.	NA	NA	NA	NA
Common Elements & Recreational Facilities	NA	NA	NA	NA
Mo. Assess.	NA	NA	NA	NA
Leaseh./Fee	396.67	440.00	490.00	506.00
Special Energy Effic. Items	Co-op int	Co-op int	Co-op int	Co-op int
Other (eg. fireplace, kitch. equip. remodeling)	NA	NA	NA	NA
Sales or Financing Concessions	NA	NA	NA	NA
Net Adj. Tot.	Conv	Conv	Conv	Conv
Indicated Value of Subject		<input type="checkbox"/> Plus <input checked="" type="checkbox"/> Minus <u>-21,000</u>	<input type="checkbox"/> Plus <input checked="" type="checkbox"/> Minus <u>-25,500</u>	<input type="checkbox"/> Plus <input checked="" type="checkbox"/> Minus <u>-24,000</u>
Comments on Market Data Analysis				
INDICATED VALUE BY MARKET DATA APPROACH				
INDICATED VALUE BY INCOME APPROACH				
This appraisal is made				
Comments on Conditions or Appraisal				
Final Reconciliation				
Construction Warranty				
This appraisal is based upon the above requirements, the certification, contingent and limiting conditions and Market Value definition that are stated in				
I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF				
Appraiser				
Date Report Signed				

Comments on Market Data Analysis: Adjustments required slightly exceed FNMA Gross & Net adjustment guidelines due to lack of sales of interior and nearby studio units from which to draw data and conclusions. See Addendum

INDICATED VALUE BY MARKET DATA APPROACH: 86,000

INDICATED VALUE BY INCOME APPROACH: (if applicable) Econ. Market Rent: NA /Mo. x Gross Rent Multiplier: NA = 0

This appraisal is made ☒ "as is" ☐ subject to repairs, alterations, or conditions listed below ☐ Subject to completion per plans and specifications

Comments on Conditions or Appraisal: This assignment not based upon requested minimum value or mortgage amount.

Final Reconciliation: Direct Sales Comparison Approach provides the best indication of value. Most weight given to Sale #1 due to its overall similarity to subject in size and location.

Construction Warranty: ☐ Yes ☒ No Name of Warranty Program: \_\_\_\_\_ Warranty Coverage Expires: \_\_\_\_\_

This appraisal is based upon the above requirements, the certification, contingent and limiting conditions and Market Value definition that are stated in

☐ FHLMC Form 439 (Rev. 7/86) FNMA Form 1004B (Rev. 7/86) filed with client 1993 ☐ attached

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF 14 August 1993 to be 86,000

Appraiser: [Signature] Review Appraiser (if applicable): \_\_\_\_\_

Date Report Signed: 14 August 1993 ☐ Did ☒ Did Not Physically Inspect Property

Borrower/Client	Seiznick				
Address	99 Bank Street				
City	New York	County	New York	State	NY
				Zip Code	10014
Lender/Client	NA				

#### AREA

Subject is located in the West Village section of Greenwich Village; an exclusive, high rent district serviced by all necessary utilities, transportation and shopping facilities. Residents are upscale professionals, artists musicians, etc.

#### LOCATION

Adjustments were made to reflect the impact of location on comparable value. Sale #2 is less desirable only because it lies across West 14th Street (northern border for the Village).

#### SITE/VIEW ADJUSTMENTS

An adjustment of \$1,000 per floor was made to reflect the impact of higher floors on value; the higher the floor the better the view, the higher the value.

#### CONDITION

All sales were given an adjustment to reflect the fact that the subject is undergoing exterior renovations (witness the exterior scaffolding)

#### GROSS LIVING AREA

An adjustment of \$65.00 per sq foot was made to reflect the difference in sq ft size between the sales and the comparables.

#### TOTAL GROSS/NET ADJUSTMENTS

Total gross and net adjustments exceed FNMA guidelines due to the lack of recent interior sales from which the appraiser could draw data and conclusions. The most recent sales were more than 1 year ago and were for 1 bedroom units with more shares than the subject.

The subject has 175 shares; the most recent sales were:  
#4F sold 7/92 277 shares sale price \$114,000  
#7R sold 11/91 275 shares sale price \$175,000

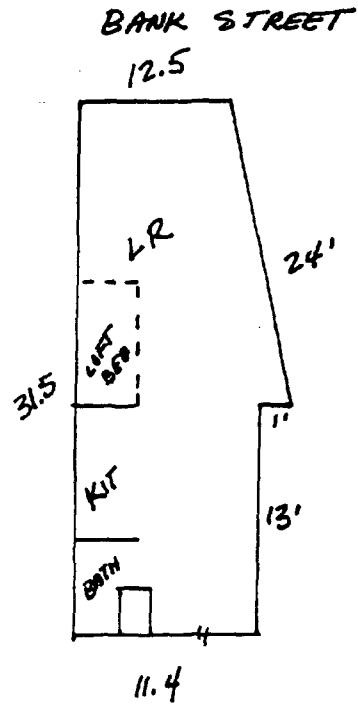
#### UNDERLYING MORTGAGE

Current mortgage is \$400,000  
Due June 1998  
Interest rate is 7.25%  
Monthly Payment is \$3,336

# MAP SKETCH ADDENDUM

Borrower/Client	SELZNICK				
Property Address	99 BANK STREET				
City	NEW YORK	County	NEW YORK	State	NY
Lender	NA			Zip Code	10014

## BUILDING SKETCH

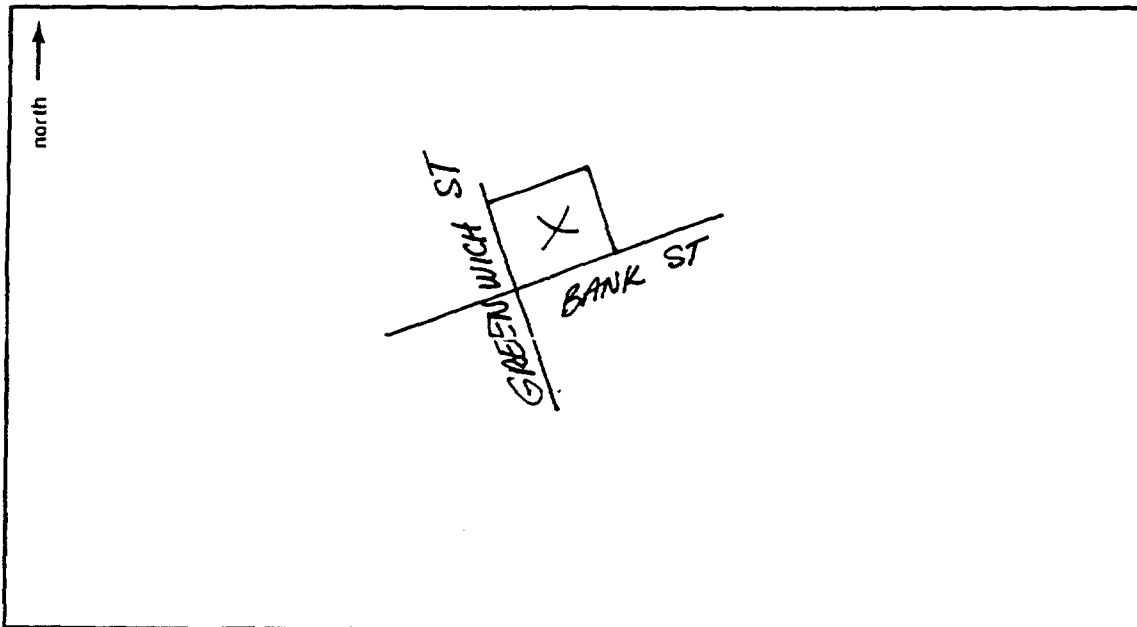


$$11.4 \times 13 = 148.20$$

$$12.5 \times 24 = 300$$

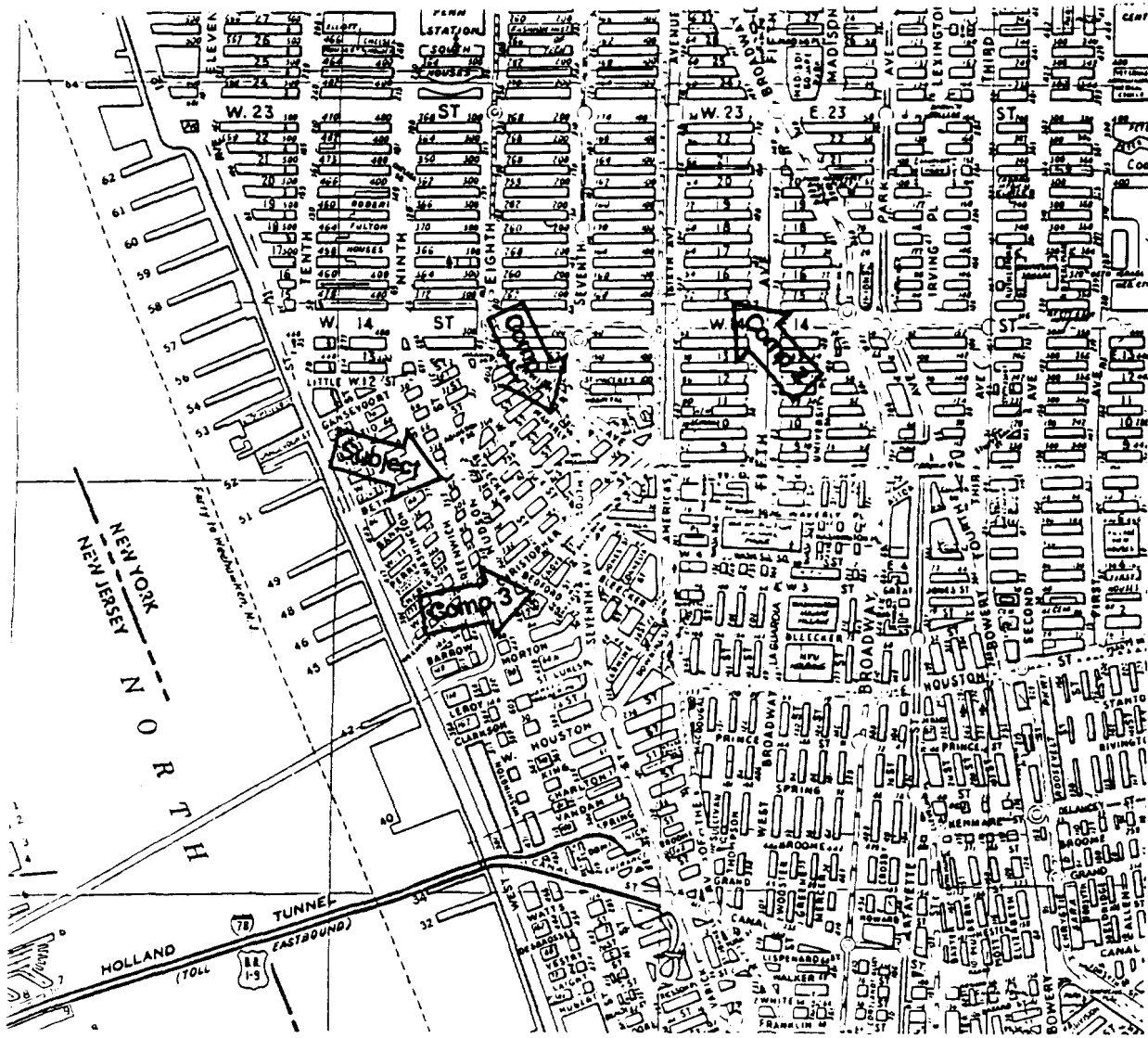
$$\underline{\underline{448.20}}$$

## LOCATION MAP [\*SUBJECT PROPERTY]



OVER FOR PHOTO ATTACHMENTS

# LOCATION MAP



# SUBJECT PHOTOGRAPH ADDENDUM

Borrower/Client **Selznick**

Address **99 Bank Street**

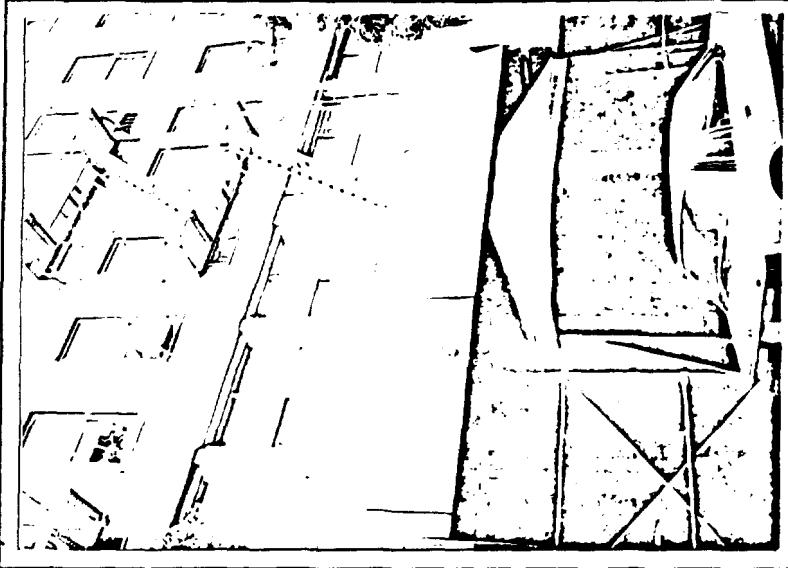
City **New York**

County **New York**

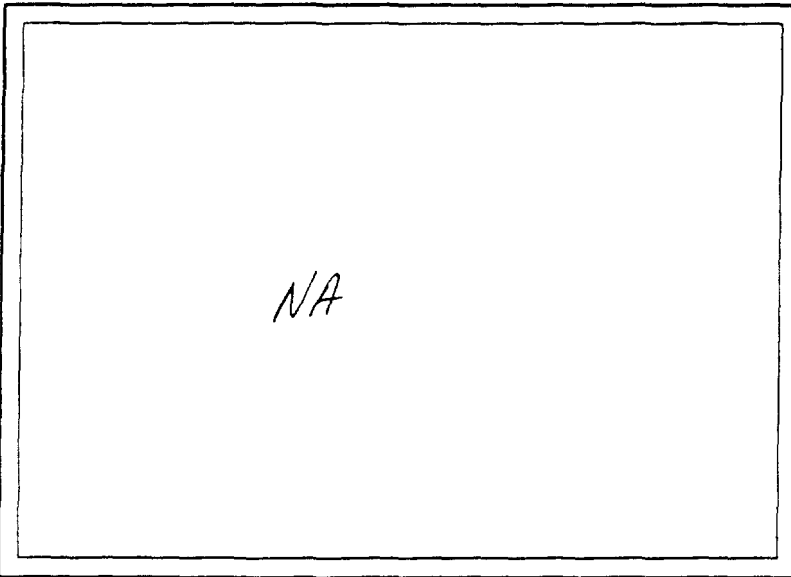
State **NY**

Zip Code **100**

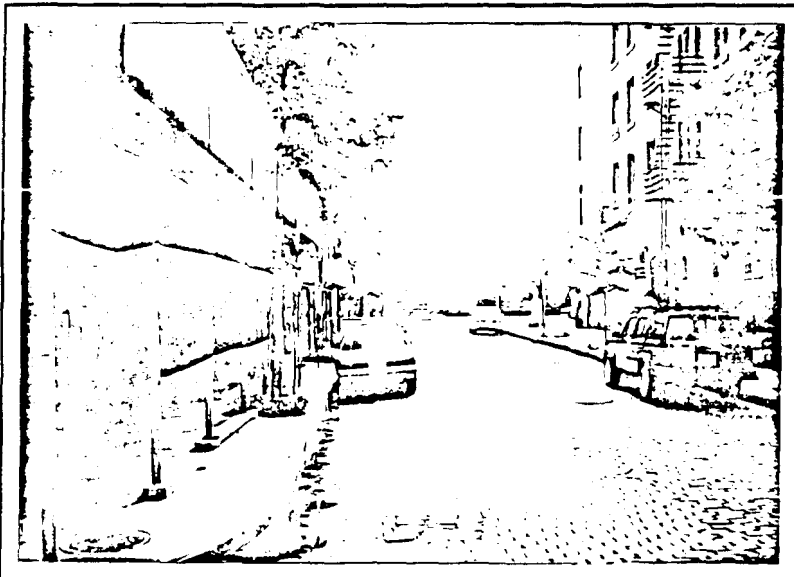
Lender/Client **NA**



FRONT OF  
SUBJECT PROPERTY



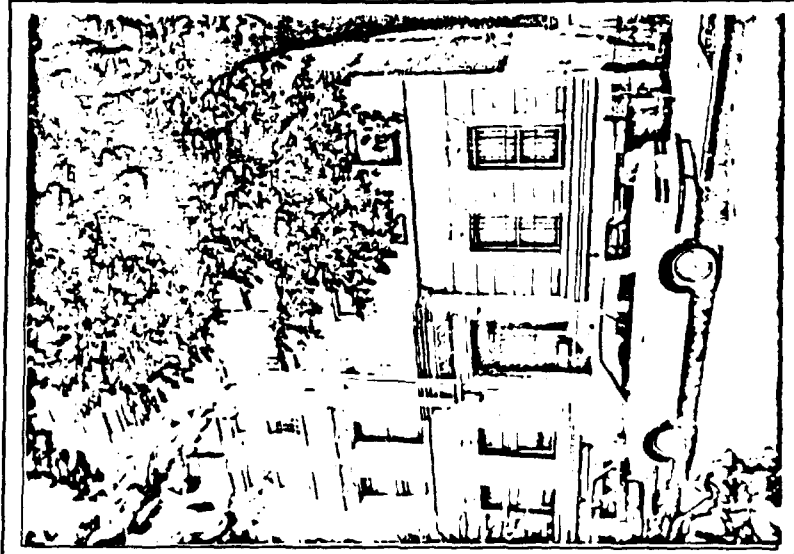
REAR OF  
SUBJECT PROPERTY



STREET SCENE

# COMPARABLE SALES PHOTO ADDENDUM

Borrower/Client	Seiznick						
Address	99 Bank Street						
City	New York	County	New York	State	NY	Zip Code	100
Lender/Client	NA						

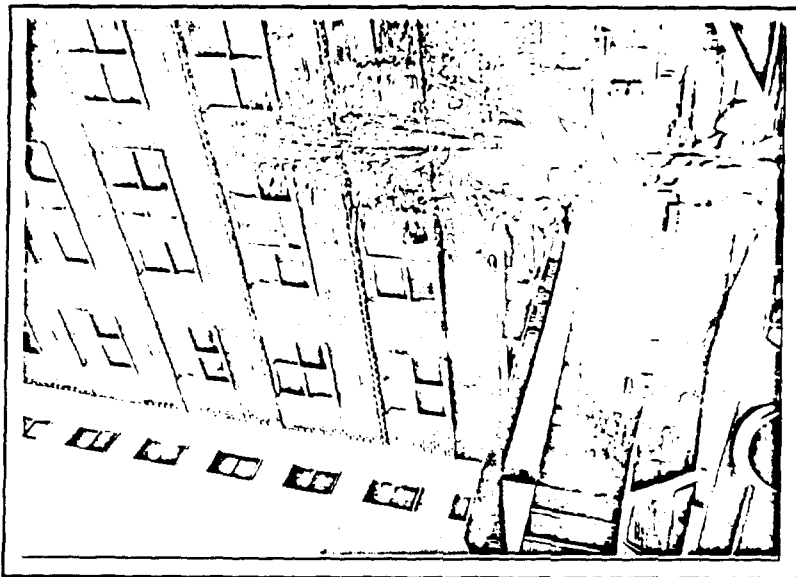


COMPARABLE SALE #1

227 West 11th St  
#45

Sale Date: 5/93

Sale Price: \$107,000

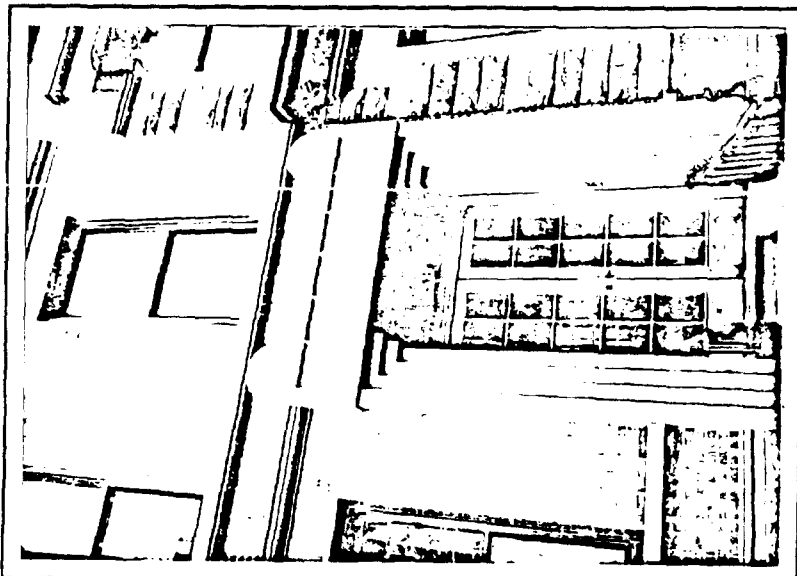


COMPARABLE SALE #2

10 West 15th St  
#1108

Sale Date: 5/93

Sale Price: \$110,000



COMPARABLE SALE #3

89 Bedford St  
#3

Sale Date: 12/92

Sale Price: \$118,000

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

#### CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS

**CERTIFICATION:** The Appraiser certifies and agrees that:

1. The Appraiser has no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property.
2. The Appraiser has no personal interest in or bias with respect to the subject matter of the appraisal report or the participants to the sale. The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national origin of the prospective owners or occupants of the property appraised, or upon the race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.
3. The Appraiser has personally inspected the property, both inside and out, and has made an exterior inspection of all comparable sales listed in the report. To the best of the Appraiser's knowledge and belief, all statements and information in this report are true and correct, and the Appraiser has not knowingly withheld any significant information.
4. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analyses, opinions, and conclusions contained in the report).
5. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organizations with which the Appraiser is affiliated.
6. All conclusions and opinions concerning the real estate that are set forth in the appraisal report were prepared by the Appraiser whose signature appears on the appraisal report, unless indicated as "Review Appraiser." No change of any item in the appraisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.

**CONTINGENT AND LIMITING CONDITIONS:** The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The Appraiser has made no survey of the property.
3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefor.
4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering which might be required to discover such factors.
6. Information, estimates, and opinions furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Appraiser can be assumed by the Appraiser.
7. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the Appraiser is affiliated.
8. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the Appraiser is connected), shall be used for any purposes by anyone but the client specified in the report, the borrower if appraisal fee paid by same, the mortgagee or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department, agency, or instrumentality of the United States or any state or the District of Columbia, without the previous written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraiser.
9. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

Date 14 August, 1993

Appraiser



H. Chuku Lee NYS# 47-14819

Date 14 August, 1993

Review Appraiser



Harry A. Salmon NYS#46-2234

Freddie Mac  
Form 439 JUL 88

Freddie Mac  
Form 1004B JUL 88

CERTIFICATE OF SERVICE

I, Karen D. Anderson, do certify that a copy of the foregoing "Direct Written Case of Loren F. Selznick on the Added Issues" was served by hand on this 30th day of December 1993, on the following:

Honorable John M. Frysiak  
Room 223  
Federal Communications Commission  
2000 L Street, NW  
Washington, DC 20036

Paulette Laden, Esq.  
Hearing Branch -- Room 7212  
Federal Communications Commission  
2025 M Street, NW  
Washington, DC 20054

Jerrold D. Miller, Esq.  
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1990 M Street, NW  
Suite 760  
Washington, DC 20036

  
Karen D. Anderson